

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHRISTINE JACITA CARRILLO,

Plaintiff,

v.

No. 1:19-cv-00531-SMV

**ANDREW SAUL,¹
Commissioner of Social Security,**

Defendant.

ORDER

Defendant, the Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under

¹ Andrew Saul is now the Commissioner of Social Security and is automatically substituted as a party pursuant to Federal Rule of Civil Procedure 25(d). Section 205(g) of the Social Security Act states that an action survives regardless of any change in the person occupying the office of Commissioner of Social Security. 42 U.S.C. § 405(g).

sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings.² See *Shalala v. Schaefer*, 509 U.S. 292 (1993).

SIGNED March 12, 2020



STEPHAN M. VIDMAR
United States Magistrate Judge

Submitted by:

Counsel for Defendant:

John C. Anderson
United States Attorney

/s/Allan D. Berger (electronically submitted March 11, 2020)

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² The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

Counsel for Plaintiff:

/s/Katherine H. O'Neal (signature provided by counsel for the Commissioner with consent to file as unopposed provided on March 3, 2020)

Katherine H. O'Neal

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